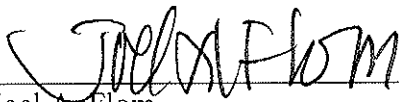


present evidence showing exposure to Sepco products that is casually related to any alleged injuries.

Sepco bases its motion upon Rule 56(c) of the North Dakota Rules of Civil Procedure in that the pleadings, depositions, answers to interrogatories, admissions on file, together with the supporting affidavits, if any, show that there is no genuine issue of material fact and that Sepco is entitled to a judgment as a matter of law. Sepco also moves the Court for summary judgment based upon the reasons given by other moving Defendants addressing the issues of market share liability, enterprise liability, alternative liability, civil conspiracy, including alleged underlying torts, negligence, strict liability, and Plaintiff's failure to show exposure.

Dated this 4th day of January, 2010.

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